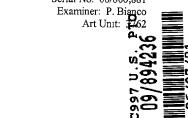


Attorney Docket: 265/022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 265/022 First Named Inventor: BURBANK et al. Prior Application Information: Serial No. 08/800,881

Commissioner for Patents **Box Patent Application** Washington, D. C. 20231



FILING UNDER 37 CFR § 1.53(b)

This is a request for filing for a divisional application under 37 CFR § 1.53(b) of pending prior application Serial No. 08/800,881 filed on February 14, 1997, by BURBANK et al., entitled:

HEMOFILTRATION SYSTEM

For CONTINUATION or DIVISION APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied, referenced above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

ſ.	APPLICATION	ELEMENTS	ENCLOSED
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_18	Page(s) of Written Description		
_2	Page(s) of Claims		
1	Page(s) of Abstract		
_7	Sheet(s) of Drawings		
	Page(s) of Declaration or Declaration and Power of Attorney		
	Copy from prior application [37 CFR §1.63(d)]		
	☐ Newly executed		
	Other:		
	Assignment papers (cover sheet and documents(s))		
\boxtimes	An Information Disclosure Statement, PTO 1449, With copies of cited items.		
	Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35		

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EL476731902US

Express Mail Label No.

June 27, 2001 Date of Deposit

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II. FEE CALCULATION

\boxtimes	Applicant claims small entity status under 37 CFR 1.27.
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BASIC FILING	G FEE:							\$710.00
Total Claims	16	-	20	=	0	Х	\$18.00	\$0.00
Independent Claims	1	-	3	=	0	X	\$80.00	\$0.00
Multiple Dependent Claims	\$270	(if applicable)					\$0.00	
TOTAL OF ABOVE CALCULATIONS					IS			\$710.00
Reduction by ½ for Filing by Small Entity.				\boxtimes	\$355.00			
Misc. Filing Fees (Recordation of Assignment)					\$0.00			
TOTAL FEES DUE HEREWITH						\$355.00		

III. PRIORITY - 35 USC § 119

Priority of application Serial No filed on in <u>Country</u> is claimed under 35 USC § 119.
The certified copy has been filed in prior U.S. application Serial Noon
The certified copy will follow.

IV. AMENDMENTS

Cancel in this application original Claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)
A Preliminary Amendment is enclosed (Claims added by Amendment must be

A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

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V.	RELA	ATE BACK - 35 USC § 120		
	\boxtimes	Relate back information included in preliminary amendment or specification.		
		Please amend the specification as follows:		
		[Enter continuing data here]		
		With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:		
		the same.		
		less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:		
		[Name(s) of inventor(s) to be deleted]		
VI.	HOD OF PAYMENT OF FEES			
	\boxtimes	Attached is a check in the amount of \$355.00.		
		Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of		
		Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]		
VII.	• • • • • • •			
	The C	ommissioner is hereby authorized to credit Lyon & Lyon's Deposit Account		
No. 12	2-2475 1	for any over payment of fees and to charge the following additional fees by this paper		
and du	iring the	e entire pendency of this application to Deposit Account No. 12-2475: 37 CFR § 1.16 (Filing fees and excess claims fees)		
	\boxtimes	37 CFR § 1.17 (Application processing fees)		
		37 CFR § 1.21 (Assignment recordation fees)		
VIII.	POW	ER OF ATTORNEY & CORRESPONDENCE ADDRESS		
		The power appears in the original papers in the prior application.		
		The power does not appear in the original papers, but was filed on in prior application Serial No		
	\boxtimes	A new power has been executed and is attached.		

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Please send all correspondence to Customer Number 22249:



PATENT TRADEMARK OFFICE

LYON & LYON LLP Suite 4700 633 W. Fifth Street Los Angeles, CA 90071 (949) 567–2300 or (213) 489–1600

Please direct all inquiries to John Kappos, at the above Customer Number.

IX.	K. MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION			
		A petition, fee and response has been filed to extend the term in the pending prior application until A copy of the petition for extension of time in the prior application is attached.		
		A conditional petition for extension of time is being filed in the pending prior application. A copy of the conditional petition for extension of time in the prior application is attached.		
X.	ABAN	DONMENT OF PRIOR APPLICATION		
		Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.		
		Respectfully submitted,		
		LYON & LYON LLP		
Dated:	Jun	By: Ohn Kappos Reg. No. 37,861		
JCK/cp		Attorneys for Applicants		
Enclosu	res			
NxStag	ge Medic	eal. Inc.		
	Assignee			
	uth Unic of Assign	on St., Suite 501, Lawrence, MA 01843		
		e Officer horized to sign on behalf of assignee		